IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO.113 OF 2003

In the matter of winding up of M/s.Newtex Insulation Pvt. Ltd.

Montex Glass Fibre Industries
Pvt. Ltd. ..PETITIONER

Mr. B.B. Parekh, for the Petitioner
Mr. Subhash Jha for the Company.

CORAM: F.I. REBELLO, J.
DATE : 24th September,2004

P.C.:

1. The petition was placed on board for hearing. The petitioner has suo mottu advertised in Free Press Journal dated September 17, 2004 intimating that proposes to withdraw the petition and if there is any other creditors wishing to be substituted he would be so entitled to move this Court for the same. Pursuant to the said advertisement no claim has been filed nor any person appeared to be substituted. It is true that before advertising the petitioner has not sought leave of the Court. In my opinion that cannot be said to be vital for the purpose of considering the petition for withdrawal as otherwise there was notice to any other creditor to be substituted in the present petition. Considering the above, petition allowed to be withdrawn. Petition dismissed as withdrawn.

(F.I.REBELLO, J.)